

DLD-131

March 14, 2019

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 18-3346

OLANIYAN ADEFUMI, Appellant

VS.

DR. SHARON LIM

(E.D. Pa. Civ. No. 2-15-cv-01101)

Present: JORDAN, GREENAWAY, Jr., and NYGAARD, Circuit Judges

Submitted are:

- (1) Appellant's motion to reopen the appeal;
 - (2) Appellant's motion for leave to appeal in forma pauperis and affidavit in support thereof, pursuant to Rule 24, Federal Rules of Appellate Procedure;
 - (3) By the Clerk for possible dismissal due to a jurisdictional defect; and
 - (4) Appellant's jurisdictional response
- in the above-captioned case.

Respectfully,

Clerk

(continued)

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ORDER

The foregoing motions to reopen and for leave to proceed in forma pauperis are granted. The appeal, however, is dismissed for lack of jurisdiction. Appellant seeks to appeal the order of the District Court entered on July 24, 2018. Unfortunately for appellant, he did not file his notice of appeal until October 19, 2018, well beyond the 30-day appeal period. See Fed. R. App. P. 4(a)(1)(A). Because appellant's notice of appeal was untimely, this Court lacks jurisdiction over this appeal. See Bowles v. Russell, 551 U.S. 205, 214 (2007).

By the Court,

s/ Joseph A. Greenaway, Jr.
Circuit Judge

Dated: April 3, 2019
Lmr/cc: Olaniyan Adefumi
Elise M. Bruhl



A True Copy:

Patricia A. Dodszeit

Patricia S. Dodszeit, Clerk
Certified Order Issued in Lieu of Mandate